

“[T]he existence of diversity jurisdiction cannot be determined without knowledge of every defendant’s place of citizenship.” *Howell v. Tribune Entm’t Co.*, 106 F.3d 215, 218 (7th Cir. 1997). In the present case, the Plaintiff alleges that Defendants “John Does 1-10” are also liable to him. (Am. Compl. ¶ 14.) However, “John Doe” defendants are ordinarily not allowed in federal diversity suits. *Moore v. General Motors Pension Plans*, 91 F.3d 848, 850 (7th Cir. 1996). There are limited exceptions to this rule, namely when the “John Doe” is irrelevant to diversity jurisdiction, *Moore*, 91 F.3d at 850; *U.S. Fire Ins. Co., Inc. v. Charter Financial Group, Inc.*, 851 F.2d 957, 959 n.3 (7th Cir. 1988), or when naming “John Doe” will not defeat the named defendant’s right to otherwise remove the case to federal court. *See* 28 U.S.C. §

1441(a).

Accordingly, the Plaintiff is granted to and including December 15, 2010, to file a Second Amended Complaint establishing the citizenship of Defendants John Doe 1-10 or, alternatively, to show cause why the case as plead should not be dismissed for lack of subject matter jurisdiction.

SO ORDERED.

Enter for November 29, 2010.

/S/ Roger B. Cosbey  
Roger B. Cosbey,  
United States Magistrate Judge